



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
TENNESSEE REAL ESTATE COMMISSION

500 JAMES ROBERTSON PARKWAY
1ST FLOOR
NASHVILLE, TENNESSEE 37243-1151
(615) 741-2273
fax 615-741-0313

ACKNOWLEDGMENT

Dear Complainant:

Enclosed please find the official complaint form of the Tennessee Real Estate Commission. Before you file with our office, the Commission requests that you read the following information which explains its function, responsibilities and powers.

1. The Commission was created to enforce the Tennessee Real Estate Broker's Licensing Law of the state. It has only such powers as the legislature gave it. In order to safeguard the interest of the public, the Commission wants to ensure that only those who meet the statutory requirements for licenses are able to obtain them and that those who fail to comply with the laws governing the conduct of the profession are disciplined.
2. **The Commission cannot recover or order the refund of any money or property to which you may be entitled. You must institute a civil lawsuit for this purpose and hire your own legal counsel, if necessary. In certain instances, a judge can revoke or suspend the license of the person against whom you are complaining, the Respondent.**
3. Attach legible copies of all pertinent documents, etc. After we receive your completely executed complaint form (**MUST BE NOTARIZED**) we will send a copy of the complaint to the Respondent with the request that he or she reply within 14 days of the postmarked date of receipt. When the response is received by our office, we will send a copy to you. You may respond to the Respondent's answer if you wish.
4. An Administrative Review will take place and if additional information is necessary, your complaint may be forwarded to an Auditor or the Investigation Section. The auditor/investigator assigned to the case will seek the additional evidence requested. The Commission will review the findings and will take the appropriate action.
5. If the Commission votes to hold a formal hearing, you will most likely be subpoenaed to testify.

Sincerely,

Bruce E. Lynn
Executive Director

NOTICE TO COMPLAINANT

PURSUANT TO T.C.A. TITLE 47 CHAPTER 18, THE TENNESSEE CONSUMER PROTECTION ACT, YOU MAY ALSO WANT TO FILE A COMPLAINT WITH THE DIVISION OF CONSUMER AFFAIRS, 500 JAMES ROBERTSON PARKWAY, 5TH FLOOR, NASHVILLE TN 37243 (615-741-4737 OR 1-800-342-8385)



For Office Use Only:

Docket # _____

Date Filed: _____

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500 JAMES ROBERTSON PARKWAY
1ST FLOOR
NASHVILLE, TENNESSEE 37243-1151
(615) 741-2273 or 800-342-4031 fax 615-741-0313
e-mail trec.info@state.tn.us website www.state.tn.us/commerce/boards/trec

OFFICIAL COMPLAINT AND AFFIDAVIT

IN THE MATTER OF:

Complainant v Respondent(s)

Mailing Address Address

City, State, Zip Code City, State, Zip Code

Please provide the following information. This will enable the investigator to contact you concerning your complaint if a personal interview becomes necessary:

If the respondent(s) above is an Affiliate Broker, list the name of the Broker and Firm by whom they are employed:

Home Phone () _____

Broker Name

Business Phone () _____

Firm Name

Name of Employer: _____

Address: _____

Address

City, State, Zip Code

Have you consulted an attorney? Yes ___ No ___ If yes, please provide the following

Phone () _____

Name of Attorney

Address _____

Street Address City State Zip Code

Are you a licensed broker or affiliate broker? Yes ___ No ___ If yes, please give your license number _____

The Tennessee Real Estate Commission is a regulatory board of the Tennessee Department of Commerce & Insurance. The Commission is delegated by law (Title 62, Chapter 13, Tennessee Code Annotated) with the responsibility of regulating real estate licenses. If the Commission feels that there is sufficient evidence to warrant a hearing, you will be required to attend. **The Commission only has jurisdiction over the license held by the respondent. The complainant must rely upon the courts for any monetary recovery.**

IN-1188(Rev. 1-04)

This image shows a full page of blank handwriting practice paper. It features approximately 28 evenly spaced horizontal black lines across the entire page, providing a guide for letter height and placement. The lines are uniform in thickness and extend from the left edge to the right edge of the page. There are no margins, text, or other markings present.

AFFIDAVIT OF COMPLAINANT(S)

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Complainant makes this complaint in the interest of the public welfare and agrees to appear voluntarily as a witness in the event the Commission prefers charges as a result of this complaint.

Complainant/Affiant

STATE OF _____
COUNTY OF _____

On this _____ day of _____, _____, personally appeared before me the complainant named in this complaint, who, on oath, says that the facts stated herein are true to the best of his or her information and belief.

Witness my hand and seal at _____, this date.

Notary Public

My Commission Expires:_____

Other Persons with firsthand knowledge of your complaint:

Name: _____ Phone _____

Address:			
Street Address	City	State	Zip Code

Name: _____ Phone: _____

Name: _____, Phone: _____

Address: _____

Street Address	City	State	Zip Code
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TENNESSEE REAL ESTATE BROKER'S LICENSING ACT OF 1973
T.C.A. 62-13-312(B)1-21

The causes for which a real estate broker or affiliate broker license may be suspended or revoked are:

1. Making any willful misrepresentation;
2. Making any promise of a character likely to influence, persuade, or induce any person to enter into a contract or agreement when he could not or did not intend to keep such promise;
3. Pursuing a continued and flagrant course of misrepresentation or making of false promises through affiliate brokers, other persons, or any medium of advertising, or otherwise;
4. Misleading or untruthful advertising, including the use of the term "Realtor"™ by a person not authorized to do so, or using any other trade name or insignia or membership in any real estate association or organization, of which the licensee is not a member;
5. Failing, within a reasonable time, to account for or remit any moneys coming into the licensee's possession which belong to others;
6. Failing to preserve for three (3) years following its consummation records relating to any real estate transaction;
7. Acting for more than one (1) party in a transaction without the knowledge and consent in writing of all parties for whom the licensee acts;
8. Failing to furnish a copy of any listing, sale, lease, or other contract relevant to a real estate transaction to all signatories thereof at the time of execution;
9. Using or promoting the use of any real estate listing agreement form, real estate sales contract form, or offer to purchase real estate form which fails to specify a definite termination date;
10. Inducing any party to a contract, sale or lease to break such contract for the purchase of substitution in lieu thereof a new contract, where such substitution is malicious or is motivated by the personal gain of the licensee;
11. Accepting a commission or any valuable consideration by an affiliate broker for the performance of any acts specified in this chapter, from any person except the licensed real estate broker with whom the licensee is affiliated;
12. Being convicted in a court of competent jurisdiction of this or any other state, or federal court, of forgery, embezzlement, obtaining money under false pretenses, bribery, larceny, extortion, conspiracy to defraud, or any crime or any similar offenses, or pleading guilty or nolo contendere to any such offense or offenses;
13. Violating any federal, state, or municipal law prohibiting discrimination in the sale or rental of real estate because of race, color, religion, sex or national origin;
14. Violating any provision of this chapter, any rule duly promulgated and adopted thereunder, or the terms of any lawful order entered by the commission;
15. In the case of a licensee, failing to exercise adequate supervision over the activities of any licensed affiliate brokers under the scope of this chapter;
16. In the case of a licensee, failing within a reasonable time to complete such administrative measures as may be required by the commission upon the transfer or termination of any affiliate broker employed by the broker;
17. Paying or accepting, giving or charging any undisclosed commission, rebate, compensation or profit or expenditures for a principal, or in violation of this chapter;
18. Failing to disclose to an owner the licensee's intention or true position if the licensee, directly or indirectly through a third party, purchases for itself or acquires or intends to acquire any interest in or any option to purchase property which has been listed with the licensee's office to sell or lease;
19. Engaging in the unauthorized practice of law;
20. Any conduct, whether of the same or a different character from that hereinbefore specified, which constitutes improper, fraudulent or dishonest dealing; or
21. Violating the Tennessee Time-Share Act, compiled in Title 66, Chapter 32, Part 1, or any rule duly promulgated thereunder.